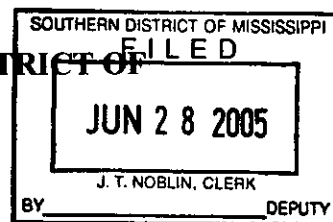


**IN THE UNITED STATES DISTRICT COURT OF SOUTHERN DISTRICT OF  
MISSISSIPPI JACKSON DIVISION**



**CLARA SPENCER**

**PLAINTIFF**

**VS.**

**CIVIL ACTION NO:** 3:05cv399HTW-JCS

**SUMMIT OF AMERICA, ZENOBIA DRUMMER,  
RONNIE HARRIS and TOM LAHRMAN**

**DEFENDANTS**

**JURY TRIAL REQUESTED**

**COMPLAINT**

COMES NOW, plaintiff Clara Spencer, by and through her Attorney Ali ShamsidDeen, and for cause of a civil action against the defendants, (see above) would state:

**JURISDICTION AND VENUE**

1. This suit is authorized and instituted pursuant to Title VII of the Civil Rights Act of 1964, as amended, 42 U.S.C. §2000 et seq.; Civil Rights Act of 1866, 42 U.S.C. §1981. Jurisdiction of the Court is invoked pursuant to 42 U.S.C. 2000E-5(f), 28 U.S.C. 1343 (3) & (4), 28 U.S.C. 1331 and 28 U.S.C. 1337. Plaintiff seeks declaratory relief pursuant to 28 U.S.C. §§2201 &2202.
2. Venue is proper pursuant to 28 U.S.C. Section 1391 (b). The discriminatory and retaliatory acts complained of by Plaintiff occurred at the Westwick Apartments in Jackson, Mississippi, Summit of America referred to as the "defendant" also Zenobia Drummer, Tom Lahrman and Ronnie Harris as "defendants".

**PARTIES**

3. **Plaintiff**, Clara Spencer is an African American female adult citizen of the United States who presently resides in Jackson, Mississippi. At the time of the actions complained of herein, she was employed by Summit of America as property manager for the Westwick Apartments on Flag Chapel Road in Jackson, Mississippi. Ms. Spencer was terminated from her position after she discovered that there were billing irregularities routinely being done involving vacant apartments.
4. **Defendants**, Summit of America, Zenobia Drummer, Ronnie Harris and Tom Lahrman are located in Montgomery Alabama, and may be served at 105 Tallapoosa Street, Suite 300, Montgomery, Alabama 36104. Westwick Apartment Complex is located at 348 Flag Chapel Road, Jackson, Mississippi 39209.

**EXHAUSTION OF ADMINISTRATIVE REMEDIES**

5. All conditions precedent to jurisdiction pursuant to section 706 of Title VII of the Civil rights Act of 1964, as amended, have been complied with by the Plaintiff to wit: Appropriate charges of employment discrimination and retaliation have been filed with the Equal Employment Opportunity Commission, and Notification of Right to sue was received by the Plaintiff from the Equal Employment Opportunity Commission (See exhibit 1).
6. Plaintiff filed a timely complaint based on the time limits contained in §706 of Title VII of the Civil Rights Act of 1964, as amended.

### **STATEMENT OF THE FACTS**

7. Plaintiff, Clara Spencer was hired on or about December 17, 2004, by defendant Summit of America as a property manager at the Westwick Apartments in Jackson, Mississippi.
8. Defendants, Summit of America, Zenobia Drummer, Ronnie Harris and Tom Lahrman treated, Ms. Spencer and other African American workers in a derogatory and demeaning manner. Specifically, Clara Spencer brought to the attention of the upper management of Summit of America and the Westwick Apartments that there were no minority contractors assisting in the renovation of the 100% African American tenant complex. Ms. Spencer also pointed out to management that some vacant apartments were routinely being charged to HUD for payment after the tenants had long since moved out and that the white contractors were being paid for renovations that they had not done.
9. Ms. Spencer refused to take part in the fraudulent billing procedures. These procedures included falsifying reports that would ultimately be sent to HUD for payment on apartment units. Ms. Spencer was wrongfully accused of firing two employees under her supervision so that she could be terminated. The two employees have revealed that they were coerced into making false charges against Ms. Spencer.

### **CAUSE OF ACTION**

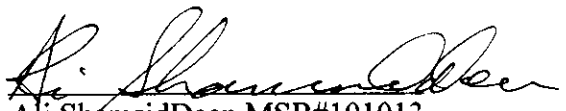
10. The actions of defendants, as aforesaid, constitute a violation of Title VII of the Civil Rights act of 1964, and in particular constitute unlawful racial discrimination and retaliation against Plaintiff.

**PRAYER FOR RELIEF**

11. Plaintiff seeks that the Court issue the following relief:
- a. Enter declaratory relief declaring that Defendant has engaged in a pattern and practice of disparate treatment and disparate impact racial discrimination against Plaintiff, and enjoining Defendant from in the future engaging in such discrimination.
  - b. Enter temporary and permanent injunctions restraining Defendant from discriminating and retaliating against African American employees, including Plaintiff;
  - c. Award Plaintiff equitable back pay economic damages for her lost pay, fringe benefits and promotional opportunities, together with compensatory and punitive damages for intentional discrimination and retaliation;
  - d. Award Plaintiff attorney fees, costs and expenses of litigation and;
  - e. Award Plaintiff the sum of \$2,000,000 (Two Million Dollars) for compensatory and punitive damages.
  - f. Award such other relief to which Plaintiff may be entitled under law including reinstatement to her position.

Respectfully submitted this, the 28<sup>th</sup> day of June 2005.

Clara Spencer

By:   
Ali ShamsidDeen MSB#101013  
Attorney for the Plaintiff  
440 North Mill Street  
Jackson, Mississippi 39201  
Telephone 601 353-4455